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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,547	07/21/2003	A. Kirby Nicholson	84959-102	3899

7590 08/30/2005

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EXAMINER

WALKER, ZAKIYA NICOLE

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,547

Applicant(s)

NICHOLSON, A. KIRBY

Examiner

Zakiya N. Walker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213:

Disposition of Claims

- 4) ☒ Claim(s) 10-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 10-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. Applicant is advised that the Notice of Allowance mailed 5/12/05 is vacated. If the issue fee has already been paid, applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a specified Deposit Account.
2. The indicated allowability of claims 10-23 is withdrawn in view of the newly discovered reference(s) to Blauch et al. (US 5,310,002 and US PG-PUB 2003/0198562). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 10 and 12-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Blauch et al. (US 5,310,002).

US'002 discloses a method that includes a method of lowering accumulated liquid saturation surrounding the wellbore of a gas well comprising: providing a gas well having a wellbore. said gas well having accumulated liquid saturation surrounding the wellbore, said liquid reducing flow rates of the gas; inducing a rapid decrease in flowing

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pressure into said gas well. Thereby causing liquid surrounding the well*re to be dislodged; and removing said dislodged liquid from the wellbore by swabbing. See the entire document, especially col. 11, line 43- col. 12, line 26. With respect to depending claims 12-16, the reference teaches the limitations as claimed, including flowing pressure

Decreased by opening the flow to the atmosphere (via surface choke), the gas well has been fracture stimulated, repeating rapid decrease in pressure, the liquid is hydrocarbon liquids or oil, and/or the liquid is water.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 17 and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,310,002 in view of US PG-PUB 2003/0198562.

US'002 discloses a method as stated above, however the reference fails to teach removing dislodged liquid using coiled tubing as called for in the claims. Instead, the reference teaches the use of swabbing as a way to remove fluids.

US PG-PUB'562 teaches a method removing production-inhibiting fluid 40, 102 from a well 18 using coiled tubing 34, 120 for the purpose of removing liquid that saturates a surrounding wellbore.

It would have been considered obvious to one of ordinary skill in the art at the time the invention was made to have substituted the swab of US'002 with a coiled tubing removal device in order to provide an alternate form of removing dislodged liquid from the wellbore.

7. Claims 10, 12-17, and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, Jr. et al. (previously cited) in view of US 5,310,002 and US PG-PUB 2003/0198562.

Cook Jr. et al. discloses a method for increasing recovery that includes a method of lowering accumulated liquid saturation surrounding the wellbore of a gas well comprising: providing a gas well having a wellbore, said gas well having accumulated liquid saturation surrounding the wellbore, said liquid reducing flow rates of the gas; inducing a rapid decrease in flowing pressure into said gas well, thereby causing liquid surrounding the wellbore to be dislodged', and removing said dislodged liquid from the wellbore. With respect to depending claims, the reference teaches the limitations as claimed, including decreasing pressure by opening flow to atmosphere (via valve 40). However, the reference fails to teach removing the dislodged liquid by swabbing (as called for in claim 10 and depending claims) or coiled tubing (as called for in claim 17 and depending claims).

US 5,310,002 teaches a method as stated above and includes removing dislodged liquid from the wellbore by swabbing for the purpose of removing liquid that saturates a surrounding wellbore.

US PG-PUB 2003/0198562 teaches a method as stated above, and includes removing dislodged fluids with coiled tubing for the purpose of removing liquid that saturates a surrounding wellbore.

It would have been considered obvious to one of ordinary skill in the art at the time the invention was made to have provided the system of Cook, Jr. et al. with a coiled tubing removal device or a swabbing device in order to provide alternate forms of removing dislodged liquid from the wellbore.

8. Claims 10, 11, 14-18, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (previously cited) in view of US 5,310,002 and US PG-PUB 2003/0198562.

Jones discloses a method that includes a method of lowering accumulated liquid saturation surrounding the wellbore of a gas well comprising: providing a gas well having a wellbore, said gas well having accumulated liquid saturation surrounding the wellbore, said liquid reducing flow rates of the gas', inducing a rapid decrease in flowing pressure into said gas well, thereby causing liquid surrounding the wellbore to be dislodged', and removing said dislodged liquid from the wellbore. With respect to the depending claims, the reference teaches the limitations as claimed, including decreasing pressure by a compressor. See Figs. 3-5 and 8. However, the reference fails to teach removing the dislodged liquid by swabbing (as called for in claim 10 and depending claims) or coiled tubing (as called for in claim 17 and depending claims).

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US 5,310,002 teaches a method as stated above and includes removing dislodged liquid from the wellbore by swabbing for the purpose of removing liquid that saturates a surrounding wellbore.

US PG-PUB 2003/0198562 teaches a method as stated above, and includes removing dislodged fluids with coiled tubing for the purpose of removing liquid that saturates a surrounding wellbore.

It would have been considered obvious to one of ordinary skill in the art at the time the invention was made to have provided the system of Jones with a coiled tubing removal device or a swabbing device in order to provide alternate forms of removing dislodged liquid from the wellbore.

9. Claims 10, 11, 13, 14, 16-18, 20, 21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelley et al. (previously cited) in view of US 5,310,002 and US PG-PUB 2003/0198562.

Kelley et al. discloses a method for increasing recovery that includes a method of lowering accumulated liquid saturation surrounding the wellbore of a gas well comprising: providing a gas well having a wellbore, said gas well having accumulated liquid saturation surrounding the wellbore, said liquid reducing flow rates of the gas', inducing a rapid decrease in flowing pressure into said gas well, thereby causing liquid surrounding tie wellbore to be dislodged', and removing said dislodged liquid from the wellbore. With respect to the depending claims, the reference teaches the

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limitations as claimed, including decreasing pressure by a compressor 72. However, the reference fails to teach removing the dislodged liquid by swabbing (as called for in claim 10 and depending claims) or coiled tubing (as called for in claim 17 and depending claims).

US 5,310,002 teaches a method as stated above and includes removing dislodged liquid from the wellbore by swabbing for the purpose of removing liquid that saturates a surrounding wellbore.

US PG-PUB 2003/0198562 teaches a method as stated above, and includes removing dislodged fluids with coiled tubing for the purpose of removing liquid that saturates a surrounding wellbore.

It would have been considered obvious to one of ordinary skill in the art at the time the invention was made to have provided the system of Kelley et al. with a coiled tubing removal device or a swabbing device in order to provide alternate forms of removing dislodged liquid from the wellbore.

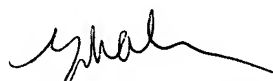
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zakiya N. Walker whose telephone number is (571) 272-7039. The examiner can normally be reached on Monday-Friday, 8:30 AM-5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Zakiya N. Walker
Primary Examiner
Art Unit 3676

ZW
August 15, 2005